

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

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**POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY**

Complaint on Priority Mail Rates

Docket No. C2001-2

**DOUGLAS F. CARLSON
PRELIMINARY ANSWER
TO POSTAL SERVICE MOTION TO DISMISS OR SUSPEND PROCEEDINGS
AND MOTION FOR EXTENSION OF TIME TO RESPOND
TO POSTAL SERVICE MOTION TO DISMISS OR SUSPEND PROCEEDINGS**

February 13, 2001

On January 12, 2001, I filed a document titled "Complaint on Priority Mail Rates." On February 12, 2001, the Postal Service filed its answer and motion to dismiss or, in the alternative, suspend the proceedings ("Answer").¹

The Postal Service requests five additional working days to supplement or modify its February 12, 2001, pleading. Answer at 15. The Postal Service requests the additional time because, according to the Postal Service, the Commission's opinion and further recommended decision in Docket No. R2000-1, issued on February 9, 2001, may affect the issues in this complaint, and the Postal Service wishes to have time to analyze the decision. *See Id.*

I do not oppose the Postal Service's request, as long as my time under Rule 21 for responding to the Postal Service motion to dismiss does not begin to run until the Postal Service files its additional pleading on February 20, 2001.²


¹ Answer of the United States Postal Service and Motion to Dismiss Or, in the Alternative, to Suspend Proceedings (filed February 12, 2001).

² The Postal Service calculates that the extension of five business days would lead to a filing date of January 20, 2001. Five business days from February 12, 2001, would be February 20, 2001. I assume that the Postal Service intended to request a date of February 20, 2001, for filing an amended answer or supplemental motion.

If the Commission does not dismiss the complaint, the Postal Service moves for suspension of the proceedings until an unspecified "administrative reconsideration" of Docket No. R2000-1 has "run its course." *Id.* at 16. I will not oppose the Postal Service's request to file an amended answer or supplemental motion on February 20, 2001, as long as my time under Rule 21 for responding to the Postal Service motion to suspend the proceedings does not begin to run until the Postal Service files its additional pleading on February 20, 2001. I should have an opportunity to review the additional information submitted on February 20, 2001, before responding to the motion to suspend the proceedings.

Finally, under Rule 21, my answer to the Postal Service's February 12, 2001, motion, as modified on February 20, 2001, must be filed seven days later, on February 27, 2001. Using First-Class Mail, Rule 21 would provide me with only four days to write and submit my response. Due to pre-existing obligations between February 20, 2001, and February 24, 2001, I request an extension of time to allow me to *serve*, as opposed to *file*, my response by February 27, 2001.

Respectfully submitted,



Dated: February 13, 2001

DOUGLAS F. CARLSON

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required parties in accordance with section 12 of the *Rules of Practice*.



DOUGLAS F. CARLSON

February 13, 2001
Santa Cruz, California